

**STATE OF MAINE**  
**BOARD OF FUNERAL SERVICE**

*Minutes of November 4, 2014 Board Meeting*

Members Present: Robert Barnes, Chair; Brian Mays, Chad Poitras, Hervey Clay, John Brennan (left at 10:55 am) and Kenneth R.L. Finley.

Others Present: Mark Terison, Hearing Officer; Torrey Gray, Board Administrator; Ronald Guay, AAG; Dottie Perry, Investigator; and Amanda Scott, Board Clerk.

Members Absent: Bethel Shields

**CALL TO ORDER**

Robert Barnes, Chair, called the meeting to order at 9:26 a.m.

**NEW BUSINESS**

**ADJUDICATORY HEARING(S)**

Anthony Bowers

The hearing began at 9:26 a.m.

The hearing ended at 4:03 p.m.

A motion was made by Kenneth R.L. Finley to dismiss count 1 of the hearing notice dated September 22, 2014. The motion was seconded by Hervey Clay.

**Vote: 2 in favor (2 opposed – Robert Barnes and Hervey Clay) (1 recused – Brian Mays)**

A motion was made by Robert Barnes to uphold count 2 of the hearing notice dated September 22, 2014. The motion was seconded by Kenneth R.L. Finley.

**Vote: 0 in favor (1 recused – Brian Mays)**

A motion was made by Chad Poitras to table count 2 of the hearing notice dated September 22, 2014 pending further discussion. The motion was seconded by Kenneth R.L. Finley.

**Vote: 4 in favor (1 recused – Brian Mays)**

A motion was made by Chad Poitras to dismiss count 3 of the hearing notice dated September 22, 2014. The motion was seconded by Hervey Clay.

**Vote: 3 in favor (1 opposed – Robert Barnes) (1 recused – Brian Mays)**

A motion was made by Hervey Clay to dismiss count 4 of the hearing notice dated September 22, 2014. The motion was seconded by Chad Poitras.

**Vote: 4 in favor (1 recused – Brian Mays)**

A motion was made by Chad Poitras to table count 5 of the hearing notice dated September 22, 2014 pending further discussion. The motion was seconded by Kenneth R.L. Finley.

**Vote: 4 in favor (1 recused – Brian Mays)**

A motion was made by Chad Poitras to dismiss count 6 of the hearing notice dated September 22, 2014. The motion was seconded by Kenneth R.L. Finley.

**Vote: 3 in favor (1 opposed – Robert Barnes) (1 recused – Brian Mays)**

A motion was made by Kenneth R.L. Finley to dismiss count 7 of the hearing notice dated September 22, 2014. The motion was seconded by Chad Poitras.

**Vote: 2 in favor (2 opposed – Robert Barnes and Hervey Clay) (1 recused – Brian Mays)**

A motion was made by Robert Barnes to uphold count 2 of the hearing notice dated September 22, 2014, and issue a warning and a fine in the amount of \$500.00. The motion was seconded by Chad Poitras.

**Vote: 4 in favor (1 recused – Brian Mays)**

A motion was made by Kenneth R.L. Finley to uphold count 5 of the hearing notice dated September 22, 2014, and issue a warning and a fine in the amount of \$500.00. The motion was seconded by Chad Poitras.

**Vote: 3 in favor (1 opposed – Robert Barnes) (1 recused – Brian Mays)**

Finding the violation was not proven due to the tie in votes, a second vote was requested. A motion was made by Kenneth R.L. Finley to dismiss count 1 of the hearing notice dated September 22, 2014. The motion was seconded by Chad Poitras.

**Vote: 3 in favor (1 opposed – Robert Barnes) (1 recused – Brian Mays)**

Finding the violation was not proven due to the tie in votes, a second vote was requested. A motion was made by Chad Poitras to dismiss count 7 of the hearing notice dated September 22, 2014. The motion was seconded by Kenneth R.L. Finley.

**Vote: 3 in favor (1 opposed – Robert Barnes) (1 recused – Brian Mays)**

## **OLD BUSINESS**

### **APPROVAL OF MINUTES**

In a motion by Brian Mays and seconded by Kenneth R.L. Finley, the minutes from the September 9, 2014 meeting were approved with changes as discussed.

**Vote: 5 in favor**

## **ADJOURN**

There being no further business, in a motion by Kenneth R.L. Finley and seconded by Chad Poitras, the Board voted unanimously to adjourn at 4:04 pm.

The next Board meeting is scheduled for January 13, 2015.